

# IDAHO ELECTRICAL BOARD MEETING

Thursday – August 10, 2006 – 7:30 A.M.

Red Lion Templin's Hotel  
Margaret & Chief Conference Room  
414 East First Avenue  
Post Falls, ID 83854

*NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.*

The meeting was called to order by Chairman Tom Brown at 7:30 a.m. on Thursday, August 10, 2006.

## Board Members Present:

Tom Brown, Chairman  
Greg Ford, Vice Chairman  
Al Frieze  
Kreg Davis  
Chris Jensen  
Lee Riley  
Mark LaBolle  
Dale Pippitt

## Board Members Absent:

Tim Phillips

## DBS Staff Members:

John McAllister, Administrator  
Steve Keys, Deputy Administrator, Operations  
Kay Christensen, Deputy Attorney General  
Gary Malmen, Electrical Bureau Chief  
Al Caine, Licensing and Code Specialist  
Lorraine Mallett, Administrative Assistant  
and Recording secretary

## Guests:

Gary Baker, United Electrical Contractors, Inc.  
Charles Val, Business Manager I.U.E.C.  
Mark Noviel, Idaho State University  
James Overholser, PC Plus  
Jay Storkson, Jay Storkson Electrical  
Burton Waite, Professional Technical Education

## Presentation by Telecomm Coalition

The Telecommunications Coalition, represented by James Overholser, PC Plus and Mark Noviel, Idaho State University, briefed the Board on issues and proposed direction for regulation of the telecommunications industry.

**ACTION:** A telecommunication audio presentation (2-3 hrs) will be given on the evening of November 8, 2006. Lee Riley will work with Mark Noviel, and Tom Brown will work with the Bureau, to set up details.

Following a brief recess, the regularly scheduled Electrical Board meeting reconvened at 8:32 a.m.

**MEETING MINUTES MOTION:** Lee Riley moved to accept the minutes of May 11, 2006. The motion was seconded by Greg Ford; motion passed unanimously.

**MOTION:** Kreg Davis moved to accept the following 4 items without discussion: 1) Electrical Compliance Report, 2) Fiscal Report, 3) Electrical Licensing Examinations and 4) Appropriation Balances. The motion was seconded by Al Frieze; motion passed unanimously.

## ♦ Administrative Appeals Hearings (Civil Penalties)

- Let the record show that at the time set for the appeals hearing, the appellant, Kenneth Kunz, WIBCO Inc. did not appear and there was no case presented.

**MOTION:** Kreg Davis moved to deny the appeal, the motion was seconded by Lee Riley; motion passed unanimously.

- Mr. Bryan Taylor, through a teleconference call, testified on his own behalf on the Notice of Violation. Electrical inspector Dave Butler, also on the teleconference call, answered Board member questions concerning this appeal. Kay Christensen thanked Mr. Bryan Taylor for his time and explained that he would be notified by mail of the Board's decision.

**MOTION:** Greg Ford moved that the citation stand as is. The motion was seconded by Kreg Davis. Discussion clarified that the citation stands based on the admission that he was in violation and that no permits were taken out prior to him trenching and preparing for the setting of services. Chairman Tom Brown called for the vote; motion passed unanimously.

**ACTION:** Kay Christensen will prepare notification letters to WIBCO, Inc and Mr. Bryan Taylor.

#### ◆ **Electrical Compliance Issues – Jay Storkson, Jay Storkson Electrical**

Jay Storkson expressed his concern that compliance is not being addressed to the level that industry would prefer. Discussion ensued regarding the option for an individual who wishes to be a credible witness and is willing to testify, to submit a citizen complaint form and the Electrical Bureau would follow up on the infraction.

**ACTION:** Bureau staff will put the citizen complaint form on the website for availability to download.

#### ◆ **Negotiated Rulemaking-Notice of Board's Intent to Promulgate Rules Working Draft**

**MOTION:** Kreg Davis made a motion to move forward and exempt the industrial accounts from having a Master Electrician license, until the Division can work with IACI (Idaho Association of Commerce and Industry) to see if they can be included at a later time. The motion died for lack of a second.

**MOTION:** Al Frieze moved that the Board approve and submit publication of the draft of *Notice of Intent to Promulgate Rules- Negotiated Rulemaking* which was presented in the packet.

**AMENDMENT TO MOTION:** Al Frieze moved to amend his motion to direct the Bureau to proceed with publication of notice of negotiated rule making, create the dates to be held, and then proceed with the proposed working draft. Chris Jensen seconded the motion. During discussion it was clarified that the motion is on the Master Electrician license to include contractors and industrial accounts. Chairman Tom Brown called for the vote; motion passed unanimously.

**ACTION:** The next Board packet will include a copy of the notice that has been published and the first hearing will be posted in the November 9, 2006 Board agenda.

#### ◆ **Property Owner Exemptions (Idaho Code 54-1016) Primary or Secondary Residence & Associated Outbuildings (IDAPA 07.01.01.013)**

The rule does not correlate with the statute as the statute is more restrictive.

**ACTION:** The Bureau and legal council will submit a draft for the Board to evaluate in next packet.

#### ◆ **Staggered System for Issuing and Renewing Licenses**

Al Caine briefly described four options:

- 1) Licensees are alphabetically divided into twelve periods
- 2) Licensee's renewal coincides with the birth date of the licensee
- 3) Contractors & Specialty Contractors renew for one year/Apprentices and Trainees renew for two years
- 4) Contractors & Specialty contractors renew for one year/Apprentices and Trainees renew for five years

#### ◆ **Specialty Electrical Licensing – Manufacture or Assembling Equipment (Modular Bldg) IDAPA 07.01.04.014**

**MOTION:** Lee Riley moved that we treat this as residential wiring, as it is now, and change the language as needed, to exclude modular. Greg Ford seconded the motion.

**AMENDMENT TO MOTION:** Lee Riley amended his motion to direct staff to prepare a draft rule for Board consideration, in a teleconference call, that would clarify the existing rule IDAPA 07.01.04.014 to exclude individuals working on modular buildings. Greg Ford seconded the amended motion; motion passed unanimously.

**ACTION:** Kay Christensen will draft the proposed rule and have it emailed to all Board members. Upon the Board's approval, she will submit it as both a temporary and a proposed rule.

**ACTION:** The Bureau will set up a teleconference meeting, before August 23, 2006, for action on the proposed administrative rule.

◆ **Draft Legislation**

○ **Idaho Code 54-1001A**

Idaho Code 54-1001A needs more clarification on the roles and responsibility of the State of Idaho Division of Building Safety Electrical Bureau, with respect to inspections of electrical installations. Risk Management requested clarification that inspectors do not inspect 'everything'. The consensus of the Board was to move forward with the legislative idea.

**ACTION:** Kay Christensen will present the draft to the Board for review by the end of September. An approved draft will need to be filed by the end of November.

○ **Idaho Code 54-1003A, 54-1006 Industrial Account Requirements**

There are no clear requirements on where the authority is to establish an Industrial Account.

**MOTION:** Greg Ford moved to table the discussion on Industrial Accounts, the motion was seconded by Al Frieze; motion passed unanimously.

◆ **Electrical Apprenticeship Program**

The question of what curriculum the state schools were going to utilize was addressed to Burton Waite, Professional Technical Education, for an update. Burton Waite distributed a booklet "A Comparison of the National Standards" for the Board to review and discuss at the next Board meeting.

**ACTION:** Put on the agenda for November 9, 2006 Board meeting.

◆ **Contracting Inspectors – State of Minnesota**

A delegation from the Division of Building Safety consisting of Steve Keys, Jeff Fitzloff, Marsi Woody and Louie Konkol, visited the State of Minnesota to look at their Contract Inspector Program. Steve Keys gave a brief description of the program and answered questions from the Board and public.

**MOTION:** Kreg Davis moved that, as a Board, they endorse the Contract Inspector Program and support the Bureau going before the Legislature. Motion was seconded by Greg Ford, motion passed unanimously.

◆ **Straw Man (Electrical Inspection Program)**

**MOTION:** Kreg Davis moved to table the Straw Man discussion at this time. Chris Jensen seconded the motion; motion passed unanimously.

◆ **Administrator's Report – John McAllister**

John McAllister gave a brief update on the following subjects:

- 1) Contractor Inspector Program – Administration supports this concept and is working with Human Resources and other policies in an effort to go forward in the next 12 month period with a pilot test program.
- 2) Newsletter - The Division of Building Safety's first newsletter has been sent out and the Division is working on the next issue.
- 3) Automation – The Division is working on the steps to implement a new computer system/software and hope to begin this fall.

- 4) Reorganization – The Division is making good progress and is still continually changing.
- 5) Standardization – Administrative authority will be put forward in the next legislative session and will address standardization and streamlined processing of procedures between the Bureaus in the Division.

◆ **Application Fees for CEU Course Approval**

The Bureau asked the Board to consider establishing a fee to be charged for approving CEU courses. The ability to charge a fee would require legislative approval as well as setting specific standards and criteria for generating the approval for a course. It was the consensus of the Board that the timing is appropriate to establish some policy in this area.

**ACTION:** Al Caine will bring back a proposed draft to the November 9, 2006 Board meeting.

◆ **Residential Electrical Journeyman License**

Chairman Tom Brown acknowledged Gary Baker, United Electrical Contractors, Inc., who had sent a letter to the Board regarding establishing a two (2) year residential electrical journeyman license in Idaho. Lengthy discussion followed after which it was the consensus of the public and the Board that they are more interested in building an electrical journeyman workforce than a two (2) year residential specialty license at this time.

◆ **Electrical Helper Classification**

The electrical helper classification is being proposed by members of the industry in an effort to address the manpower problem. The implementation of the two (2) year school requirement for apprentices has eliminated the career electrical apprentice. The consensus of the Board was that an electrical helper classification would impede the four (4) years of producing journeyman electricians that the industry is trying to promote.

◆ **Elevator Licensing/Standards of Apprenticeship**

Chairman Tom Brown acknowledged Charles Val, Business Manager for International Union of Elevator Constructors (I.U.E.C.), who had concerns and questions regarding the Elevator Specialty License and exam. Mr. Val explained that an elevator contractor has to purchase two licenses, one from the Elevator Safety Program and the other for an Elevator Specialty License. They are also required to purchase two permits so that two inspections can be performed on an elevator. He is also concerned that the elevator specialty exam questions do not pertain to the work being performed.

**ACTION:** Al Caine will contact the International Code Council (ICC) to inquire on reviewing test questions for all of the exams that were set up in the fall of 2005; especially the elevator exam.

◆ **Multi-State Licensing Reciprocity Conference Report**

Greg Ford reported that Lee Riley, Gary Malmen, Steve Keys, John McAllister, Al Caine and himself represented Idaho at the Multi-State Licensing Reciprocity Conference held in Sandy, Utah from July 31 through August 1, 2006. Eleven out of the fourteen states were represented at the conference. Idaho's apprenticeship program was praised as the example that most states use to help plan the improvement of their own state electrical licensing program. Idaho submitted a proposal that offered to remain in the Multi-State agreement only if they have the ability to determine if the applicant meets minimum requirements before a reciprocal license would be granted. Individual state Boards will review the proposal and submit their decision. Currently, Idaho has reciprocal agreements with Oregon and Montana. Al Caine was approached by representatives from Wyoming and Utah with an offer to sign individual reciprocal agreements with Idaho. Utah sent a reciprocal agreement to the Bureau August 8, 2006 for the Board's review and approval.

**MOTION:** Kreg Davis moved to accept the Utah Reciprocal Agreement; motion was seconded by Greg Ford; motion passed unanimously.

## **New Business**

- ◆ Gary Malmen introduced a letter from Electrical Safety Net pertaining to Idaho having removed 'smoke alarms located in bedrooms' from the AFCI (arc-fault circuit interrupter) requirement in the National Electrical Code (NEC). It was suggested that the Board consider reviewing the smoke alarm exemption for the 2008 NEC.

**ACTION:** Put this topic on the agenda for the next meeting.

- ◆ Discussion was held regarding the 2007 Board meeting schedule.

**ACTION:** The Bureau will submit the 2007 Board meeting schedule at the teleconference meeting planned to be held prior to August 23, 2006.

- ◆ Chairman Tom Brown thanked Kay Christensen, Deputy Attorney General, for her service to the Electrical Board and congratulated her on her recent promotion.
- ◆ The next Board meeting will be a teleconference meeting to be held before August 23, 2006 to address the Proposed/Temporary Administrative Rule, IDAPA 07.01.04.014 - Rule Governing Electrical Specialty Licensing that would clarify the existing rule to exclude individuals working on modular buildings.
- ◆ The next regular meeting will be held Thursday, November 9, 2006 in Nampa, Idaho.

**MOTION TO ADJOURN:** Chris Jensen moved to adjourn, motion was seconded; motion passed unanimously.

Meeting adjourned at 2:30 p.m.

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STEVE KEYS  
DEPUTY ADMINISTRATOR, OPERATIONS

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DATE

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JOHN A. MCALLISTER  
ADMINISTRATOR, DIVISION OF BUILDING SAFETY

\_\_\_\_\_  
DATE

\_\_\_\_\_  
TOM BROWN  
CHAIRMAN, ELECTRICAL BOARD

\_\_\_\_\_  
DATE